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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,382	12/21/2001	Michael A. Epstein	US010632	4889

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EXAMINER

SCHUBERT, KEVIN R

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,382

Applicant(s)

EPSTEIN, MICHAEL A.

Examiner

Kevin Schubert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claims 1-6 have been considered.

Specification

5 The specification is objected to for failing to provide support for claims 1-6 in light of the applicant's amendment on 8/15/05.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

10 The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

15 Claims 1-6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

20 The amended limitation "wherein at least one of the plurality of hash devices is configured to receive a portion of the sequence of data values that overlaps with a portion of the sequence of data values that is received by another one of the plurality of hash devices " in claim 1 and the substantially similar amended limitation "wherein at least one of the plurality of hash elements receives a data value that at least partially overlaps with a data value that is received by an other of the plurality of hash elements" in claim 4 both introduce new matter. Nowhere in the Specification does the applicant disclose that a hash device receives data that overlaps with another hash device. The applicant merely discloses that different hash functions are computed based on a different time or phase. For example, the applicant discloses the following: "The clock signal Cd triggers each hashing device 110 at each new data sample Din in the sequence of data values, and the current data sample Din is applied to each of the enabled
25 hashing devices 110" (Specification: page 4). This is not the same as the applicant's claimed limitation in
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which at least one of the hash devices receives a portion of the sequence of data values that **overlaps** with a portion of the sequence of data values received by another hash device.

Further, the applicant never discloses the idea that **at least one** of the hash devices receives a portion of data values that overlaps with a data value that is received by another one of the plurality of hash devices. This limitation presents another new matter issue in that the limitation allows for at least one hash device to receive data values that overlap with received data values on another hash device and other hash devices to receive data values that don't overlap with received data values on another hash device. There is no support for this idea either. Appropriate correction is required.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites "a duration of receiving K data samples". As discussed in the previous action a data sample, such as a number, is not a duration. Receiving a data sample is not a duration either. A duration can be associated with a data sample or receiving a data sample, but a duration cannot be a data sample or receiving a data sample as claimed.

Further, it is unclear if the applicant means that the duration corresponds to only the receiving and not the processing of the K elements. If this is the case, it is unclear how the hash function is not enabled during the hash function's processing of the K elements. Appropriate correction and/or explanation of the amended limitation is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Akiyama, European Patent Application No. EP 1,041,767.

As per claims 1 and 4, the applicant describes a hashing system with the following limitation

10 which is met by Akiyama:

a) a plurality of hash devices ([0029]);

b) each hash device of the plurality of hash devices being configured to receive a subset of the sequence of data values and apply a hash function to the received subset of the sequence of data values when enabled, wherein at least one of the plurality of hash devices is configured to receive a portion of the sequence of data values that overlaps with a portion of the sequence of data values that is received by another one of the plurality of hash devices ([0029], Fig 1; Fig 2B);

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c) at least one comparator, operably coupled to the plurality of hash devices, that is configured to compare an output of each hash device to the source hash value, to facilitate a verification of the sequence of data values ([0030], Fig 1);

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As per claims 2 and 5, the applicant describes the hashing system of claims 1 and 4, which are met by Akiyama, with the following limitation which is also met by Akiyama:

Wherein each hash device is enabled sequentially ([0062], Fig 4B)

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As per claims 3 and 6, the applicant describes the hashing system of claims 1 and 4, which are met by Akiyama, with the following limitations which are also met by Akiyama:

a) each hash function is enabled for a duration of receiving K data samples (Fig 4A, Fig 4B);

b) the plurality of hash devices corresponds to K hash devices (Fig 4A, Fig 4B);

Response to Arguments

The Abstract received 8/15/05 has been considered and is acceptable.

Applicant's arguments with respect to the 112 rejection have been fully considered but they are
5 not persuasive. See the 112 2nd paragraph rejection.

Applicant's arguments filed 8/15/05 have been fully considered but they are not persuasive. The
applicant argues that the hashing units do not use overlapping portions of data in the hashing operation.
The examiner disagrees. As illustrated in Figs 2A and 2B, the hash devices do utilize overlapping
10 portions of the data in the hashing operation. For example, the left-most hash device receives and
utilizes D1 in the hash operation to construct CS1 (see CS1-Generating Process on the bottom left). The
middle hash device also receives and utilizes D1 in the hash operation to construct CS2 (see CS2-
Generating Process). Thus, the hashing units clearly do use overlapping portions of the data in the
hashing operation.

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Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth
in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from
20 the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date
of this final action and the advisory action is not mailed until after the end of the THREE-MONTH
shortened statutory period, then the shortened statutory period will expire on the date the advisory action
is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
the advisory action. In no event, however, will the statutory period for reply expire later than SIX
25 MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
5 Emmanuel Moise can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through
10 Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

15 KS


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER